

**COUNCIL WORK SESSION  
MONDAY, SEPTEMBER 19, 2011**

**6:30 P.M. PROMPT**

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- **DISCUSSION OF AGENDA –**
- **EXECUTIVE SESSION – Personnel**

Bedford, Ohio

September 19, 2011

Bedford City Council met in a Work Session at Bedford City Hall on Monday, September 19, 2011 at 6:31 p.m.

Present: Council Members: Vice-Mayor Stan Koci, Warner Batten, Marilyn Zolata, Paula Mizsak, Donald Saunders, Greg Pozar. Also Present: Clerk of Council Lorree Villers. Administration: Finance Director Frank Gambosi, Law Director Ken Schuman, Engineer Joe Ciuni and Acting City Manager Mike Mallis.

Absent: Mayor Daniel Pock and City Manager Hank Angelo.

Mrs. Zolata pointed out two slight corrections to the September 6, 2011 Work Session and Regular Council meeting minutes. She noted the sentences and the word "not" needed to be placed. Clerk Villers said she would make these corrections during Council's Executive Session so the minutes could be signed this evening. Council agreed.

Vice-Mayor Koci began discussion of the Regular Council Meeting agenda.

Ordinance No. 8869-11 was an ordinance authorizing approval of engineering fees to GPD Group for Rockside resurfacing in the amount of \$12,634.15. Joe Ciuni was present to answer any questions Council may have regarding this project. He said the concerns from the last meeting were whether the 8% was correct and the type of concrete that was being used. There was confusion as to whether the bridge was in the calculations or not.

Mr. Ciuni explained several areas of concern and that there would be no asphalt on the hill area, the concrete joints that were going to be repaired and the added handicap ramps. He noted he had the ability to add any other items that needed addressed after the construction started. Mr. Saunders and Mr. Ciuni had a discussion about the thickness and the type/mix of the concrete. Mr. Saunders felt it all needed to be torn out and replaced to do it correctly because abutting new concrete with old concrete would only allow the road to deteriorate and fall apart over time. Mr. Ciuni pointed out there was over \$10,000 in concrete expense for this project and the concrete was the proper thickness. There was discussion that the traffic was going to be tied up regardless if it was patched or completely torn out. Mr. Schuman pointed out the concrete issue had nothing to do with the 8% that was noted in the legislation and the design issue needed to be addressed at a later date.

Mr. Pozar asked if the City had the ability to make any changes after the project was started. Mr. Ciuni replied, Yes. There was discussion that the project would more than likely be delayed because of the Highway Trust Fund until 2013.

Council asked Mr. Ciuni several more questions about projects around town. Mr. Batten asked why a layer of asphalt was poured on Grand Boulevard before the waterline was installed. Mr. Ciuni explained what needed done on this project and then the final coat would be poured even though this was not the usual way of doing it but the season was coming to an end. He thought it would be better than leaving the road with a ground topping for the winter.

Mr. Pozar asked if there were any inspectors at the Powers Road project. Mr. Ciuni replied, yes. Mr. Pozar explained that one of the slabs had been cracked and who was responsible for it. Mr. Ciuni was not aware and he would check into it. There was discussion about the telephone poles that could have been moved during this project. Mrs. Mizsak asked if there could be some type of yellow flashing signal lights

to alert drivers and safety forces that there was a train coming to allow better traffic flow in the area.

Mr. Saunders mentioned the asphalt that was lifting on Rockside Road that needed repaired. Mr. Ciuni said there had been core samples being taken and this would be looked at after winter. Mr. Saunders suggested keeping this project open until July 2012.

Mrs. Zolata pointed out the street covers had been covered over and needed uncovered on Paul and Carol Streets and the street was now too high. Mr. Ciuni noted there was a punch list for this project and he would check into it.

Ordinance 8862-11 was an ordinance establishing new Section 545.23 - "Secondhand Dealers" (1<sup>st</sup> Reading July 11, 2011, 2<sup>nd</sup> reading August 22, 2011 and Tabled September 6, 2011). Vice-Mayor Koci explained the reason for the 14 day holding period was to allow someone that could possibly be on vacation to return from their trip and report the robbery. If the business was still holding the merchandise, the police would be able to analyze it and show the person that reported the robbery. Mr. Gambosi noted he had worked on a list of businesses he thought would be affected by this ordinance and his best guess was possibly 57. Council reviewed the amended legislation and application and they were okay with the changes.

Ordinance No. 8882-11 was an ordinance amending Ord. No. 8631-10 authorizing the City Manager to enter into a contract with Ronyak Paving, Inc. for the 2010 Street Improvement (Tabled 9/6/11). Council understood the reason for the \$1,265.00 amendment and was okay with it.

Resolution No. 2450-11 was a resolution authorizing the City Manager to seek financial assistance for the 2012 OPWC program. Mr. Mallis explained the waterline from Broadway to William Street was in bad shape and needed attention so this why this ordinance was written.

Ordinance No. 8884-11 was an ordinance declaring 111 Woodrow Avenue a nuisance. Mr. Schuman noted the outside of the house looked okay but this was a way to get the bank's attention.

Ordinance No. 8885-11 was an ordinance approving a CRA for Penske Automotive Group. Mr. Schuman explained Penske was spending \$4 million dollars in building improvements and this was for 15 years at 70% starting in 2012 to 2026. Mr. Batten pointed out the last "Whereas" needed to be amended to reflect the correct years. Clerk Villers said she would change it when Council was in their executive session this evening.

Ordinance No. 8886-11 was an ordinance authorizing the City Manager to enter into a contract with FP Allega (\$7,000). Council reviewed the items that were going to be addressed and was okay for passage this evening. Mr. Schuman pointed out this would be put on the tax duplicate and the City would get its money back when the home was sold.

Ordinance No. 8887-11 was an ordinance authorizing the City Manager to apply for the FirstEnergy Grant. Mr. Mallis said Eaton Corp had mentioned this to the City. He noted the deadline was October 2011 and this would be in addition to the NOPEC monies. Mr. Gambosi had a previous discussion with NOPEC and was able to work with them so the City could utilize the funds for other projects. Mr. Mallis listed a few things that would be addressed as follows: the lighting in the Service and Fire Departments and the Ellenwood doors. He told Council nothing was carved in stone because there were several things these funds could be spent on.

Ordinance No. 8888-11 was an ordinance authorizing the City Manager to enter into a contract with Warren Fire Equipment (\$18,840). Mr. Mallis explained this purchase was in the Fire Department original budget; however, the bunker gear was purchased below State bid price. Mr. Koci mentioned it was important to keep the firefighters safe.

Ordinance No. 8889-11 was an ordinance amending COB Section 1333.14 by adding subsection 1333.14 (c) (3). Mrs. Mizesak had a couple issues in her Ward regarding tattered window treatments. Mr. Schuman explained Mr. Seyboldt had contacted him after he received Mrs. Mizesak's issues and there were some communities that enforced this. Council was comfortable with this being read as a first reading.

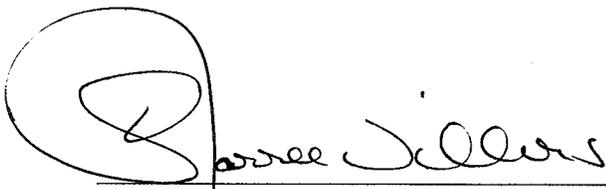
Motion to affirm the BZA's decision of September 7, 2011 to reject the appeal from Milano Monuments. Mr. Schuman explained the original plan had two variances which were rejected by the BZA. He added Mr. Milano and Mr. Miller submitted a new drawing for the Planning Commission being 100% in compliance. Council wondered why the drive was moved in the second drawing because it would be safer if the drive was on the side street.

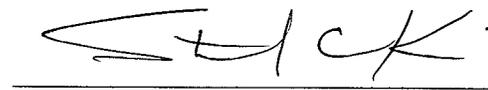
Motion to affirm the Planning Commission's decision of September 13, 2011 to approve the new construction of Milano Monuments.

Council was okay with Planning Commission's decision. Mr. Koci mentioned Milano Monuments had another very nice building not far from here and it looked like this building was going to be just as nice.

Discussion of the Regular Work Session agenda was concluded.

At 7:37 p.m., Bedford City Council, Acting City Manager Mike Mallis, Law Director Ken Schuman, Finance Director Frank Gambosi went into an executive session to discuss personnel. Executive Session was recessed at 7:58 p.m. to conduct the Regular Council Meeting. The executive session reconvened at 9:30 p.m. after the Regular Council Meeting had adjourned.

  
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Clerk of Council

  
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Mayor - President of Council

REGULAR MEETING

BEDFORD CITY COUNCIL  
STATE OF OHIO  
COUNTY OF CUYAHOGA

DATE: September 19, 2011

AGENDA

TIME: 8:00 P.M.

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1. **CALL TO ORDER**

2. **PLEDGE OF ALLEGIANCE**

3. **ROLL CALL**

4. **APPROVAL OF MINUTES**

- a. Approval of Minutes of the Work Session of September 6, 2011
- b. Approval of Minutes of the Regular Meeting of September 6, 2011

5. **OLD BUSINESS**

- a. Ordinance No. 8862-11 establishing new Section 545.23 - "Secondhand Dealers" (1<sup>st</sup> Rdg 7/11/11 - 2<sup>nd</sup> Rdg 8/22/11 – Tabled 9/6/11)
- b. Ordinance No. 8869-11 authorizing approval of engineering fees to GPD Group for Rockside resurfacing (\$12,634.15) (1<sup>st</sup> Rdg 8/22/11 – 2<sup>nd</sup> Rdg 9/6/11)
- c. Ordinance No. 8882-11 amending Ord. No. 8631-10 authorizing the City Manager to enter into a contract with Ronyak Paving, Inc. for the 2010 Street Improvement (Tabled 9/6/11)

6. **REPORTS**

- a. City Manager
- b. Law Director
- c. Finance Director
- d. Council Reports

7. **NEW BUSINESS**

- a. Resolution No. 2450-11 authorizing the City Manager to seek financial assistance for the 2012 OPWC program
- b. Ordinance No. 8884-11 declaring 111 Woodrow Avenue a nuisance
- c. Ordinance No. 8885-11 approving a CRA for Penske Automotive Group
- d. Ordinance No. 8886-11 authorizing the City Manager to enter into a contract with FP Allega (\$7,000)
- e. Ordinance No. 8887-11 authorizing the City Manager to apply for the FirstEnergy Grant
- f. Ordinance No. 8888-11 authorizing the City Manager to enter into a contract with Warren Fire Equipment (\$18,840)
- g. Ordinance No. 8889-11 amending COB Section 1333.14 by adding subsection 1333.14 (c)(3)
- h. Motion to affirm the BZA's decision of September 7, 2011 to reject the appeal from Milano Monuments
- i. Motion to affirm the Planning Commission's decision of September 13, 2011 to approve the new construction of Milano Monuments

8. **HEARING OF CITIZENS**

9. **ADJOURNMENT**

PLEASE **TURN OFF ALL CELL PHONES BEFORE COUNCIL MEETING**  
(Council minutes and agenda posted at [www.bedfordoh.gov](http://www.bedfordoh.gov))

Bedford, Ohio

September 19, 2011

Bedford City Council met in Regular Session at Bedford City Hall on Monday, September 19, 2011. Vice-Mayor Koci called the meeting to order at 8:00 P.M. The meeting was opened by pledging allegiance to the flag. The roll was called. Present: Koci, Mizesak, Pozar, Saunders, Zolata, Batten. Absent: Pocek.

Motion made by Mizesak and seconded by Zolata to excuse Mayor Pocek from this evening's meeting. The roll was called. Vote – Yeas: Koci, Mizesak, Pozar, Saunders, Zolata, Batten. Nays: None. Motion carried unanimously.

Motion made by Zolata and seconded by Batten to approve the minutes of the Work Session of September 6, 2011. The roll was called. Vote – Yeas: Koci, Mizesak, Saunders, Zolata, Batten. Nays: Pozar. Motion carried. Mr. Schuman, Mr. Pozar and Vice-Mayor Koci clarified the reason Mr. Pozar voted "No" was because there was a minor typing error that was previously discussed in the Work Session this evening. It was clarified the correction had been already corrected by Clerk Villers.

Councilwoman Zolata noted the correction for the September 6, 2011 Regular Session minutes was on Page 2 and the correction should be that Mr. Schuman was "not" in favor of the RITA process. Motion made by Mizesak and seconded by Batten to amend the minutes as stated by Mrs. Zolata. . The roll was called. Vote – Yeas: Koci, Mizesak, Pozar, Saunders, Zolata, Batten. Nays: None. Motion carried unanimously.

Motion made by Pozar and seconded by Zolata to approve the minutes of the Regular Meeting of September 6, 2011. The roll was called. Vote – Yeas: Koci, Mizesak, Pozar, Saunders, Zolata, Batten. Nays: None. Motion carried unanimously.

**ORDINANCE NO. 8862-11**, an ordinance establishing a new Section 545.23 of the Codified Ordinances entitled "Secondhand Dealers" of the codified ordinance of the City of Bedford and declaring an emergency placed on first reading July 11, 2011, second reading August 22, 2011 and tabled on September 6, 2011 was read by title only.

Motion made by Batten and seconded by Saunders to remove Ordinance No. 8862-11 from the table.

The roll was called. Vote – Yeas: Koci, Mizesak, Pozar, Saunders, Zolata, Batten. Nays: None. Motion carried unanimously.

Motion made by Zolata and seconded by Mizesak to amend Ordinance No. 8862-11 to reflect the document Council received this evening.

The roll was called. Vote – Yeas: Koci, Mizesak, Pozar, Saunders, Zolata, Batten. Nays: None. Motion carried unanimously.

Motion made by Zolata and seconded by Batten to suspend the rule requiring the reading of said ordinance on three different days.

The roll was called. Vote – Yeas: Koci, Mizesak, Pozar, Saunders, Zolata, Batten. Nays: None. Motion carried unanimously.

Motion made by Saunders and seconded by Mizesak to place Ordinance No. 8862-11 on third and final reading and passed.

**ORDINANCE NO. 8869-11**, an ordinance authorizing approval of engineering fees to GPD Group for its services regarding the resurfacing of Rockside Road in the City of Bedford and declaring an emergency placed on first reading August 22, 2011 and second reading September 6, 2011 was read by title only.

Motion made by Zolata and seconded by Sanders to suspend the rule requiring the reading of said ordinance on three different days.

The roll was called. Vote – Yeas: Koci, Mizsak, Pozar, Saunders, Zolata, Batten. Nays: None. Motion carried unanimously.

Mr. Schuman explained Council requested information from the City's engineer regarding the City of Bedford's engineering costs of 8% and the engineer explained to Council the types of repairs that were going to be addressed. Mr. Saunders noted for the record that he was in disagreement with this project because the bridge which was the bulk of the majority of the Bedford project was not being repaired and he thought 8% was not true because it was measured by a straight distance between Broadway Avenue and Turney Road.

Motion made by Mizsak and seconded by Saunders to place Ordinance No. 8869-11 on third and final reading and passed.

**ORDINANCE NO. 8882-11**, an ordinance amending Ordinance No. 8631-10 authorizing and directing the City Manager to enter into a contract with Ronyak Paving, Inc. being the lowest, responsive and responsible bidder and declaring an emergency was tabled on September 6, 2011 was read by title only.

Motion made by Batten and seconded by Zolata to remove Ordinance No. 8882-11 from the table.

The roll was called. Vote – Yeas: Koci, Mizsak, Pozar, Saunders, Zolata, Batten. Nays: None. Motion carried unanimously.

Motion made by Mizsak and seconded Saunders to amend Ordinance No. 8882-11 as discussed in the Work Session.

Mr. Schuman explained the amendment was a change of figures but the total contract amount stayed the same.

The roll was called. Vote – Yeas: Koci, Mizsak, Pozar, Saunders, Zolata, Batten. Nays: None. Motion carried unanimously.

Motion made by Saunders and seconded by Pozar to suspend the rule requiring the reading of said ordinance on three different days.

The roll was called. Vote – Yeas: Koci, Mizsak, Pozar, Saunders, Zolata, Batten. Nays: None. Motion carried unanimously.

Motion made by Pozar and seconded by Saunders to place Ordinance No. 8882-11 on third and final reading and passed.

The roll was called. Vote – Yeas: Koci, Mizensak, Pozar, Saunders, Zolata, Batten. Nays: None. Motion carried unanimously.

No report from Mike Mallis Acting City Manager.

No report from Ken Schuman Law Director.

No report from Mr. Gambosi Finance Director.

Councilman Batten explained that the Pumpkin Festival was September 30 to Sunday, October 2, 2011. He announced the 2011 Citizen of the Year was Bob Schroeter and his recognition was Sunday, October 2, 2011 at 1:30 pm on the square.

Councilwoman Zolata was happy to see the members of the Pooka Committee present at this evening's meeting. She expressed it was a fabulous event and noted it was extremely well organized. She thanked Mr. Mallis for his efforts while being the acting City Manager. Mrs. Zolata referred to the Dye Testing report she had received for her Ward which she was eager to read.

Councilwoman Mizensak also pleasantly expressed her thoughts on the 2<sup>nd</sup> annual Weekend of the Pooka event. She said it was very well attended; very well put together and next year would be better. She stressed the residents that were putting their rubbish at the curb up to four days in advance needed to be contacted and the laws needed to be enforced.

Councilman Pozar thought the business owner should be notified of their obligation to remove the snow from the walks before the season was upon us. He thought the City should also come up with a plan as to how they were going to address its own lots. He announced he had plans to discuss with the Administration and Council a partial solution for downtown Bedford parking and pointed out there was a topic on the agenda this evening that also had parking concerns. Mr. Pozar noted the Memorial Park needed some attention because some of the railings were rusted and falling down and the benches that were once comfortable. He explained there was the ability to install a water feature to enhance this area. He mentioned Bedford was the destination in conjunction with Tinkers Creek parkway. Mr. Pozar referred to a quote by Winston Churchill that spoke about men stumbling over the truth from time to time but most pick themselves up and dust themselves off and continue on their way as if nothing happened. The reason he shared this quote was because of the threat to our social security. He explained a scenario if a person contributed to their social security for all their life and if the monies were invested in an annuity company and what a person could expect as a monthly payment which could be passed on to the family. He referred to what was being said in the newspapers about social security being a Ponzi scheme and stressed that that comment was not true. He suggested everyone should research it themselves because the people that were currently 30-40 years of age in our society needed to change because the system we currently have is not sustainable.

Councilman Saunders suggested when there was an event in downtown Bedford that the Police Department post there was to be No Parking on Washington Street. He explained it was very congested and recently it has caused a lot of problems.

Mrs. Zolata wished Clerk Villers a Happy Birthday!

Vice-Mayor Koci commended Joyce Daunch on her efforts on the Weekend of the Pooka. He thanked everyone that worked on the Pooka Committee and the volunteers for their efforts. He asked Mr. Mallis to thank the Police Department for all their work. He shared a couple stories with the audience of his experiences over the weekend. He stressed the artists and the restaurants were happy. Mr. Koci told a story about an Indiana family that had come to Bedford to buy a car and stopped by the event and ended

up staying the night and returning the next day because they enjoyed themselves so much. He stated when the Arts Culture Board was created it was to work hand in hand with the businesses to help attract businesses. He stated fortunately there was an artist that would like to relocate to Bedford.

Vice-Mayor Koci moved forward to address the remainder of the agenda.

**RESOLUTION NO. 2450-11**, a resolution authorizing the City Manager to seek financial assistance from the Ohio Public Works Commission (OWPC) State Public Works Program to fund various capital infrastructure improvement projects and declaring an emergency was read by title only.

Motion made by Saunders and seconded by Pozar to suspend the rule requiring the reading of said resolution on three different days.

The roll was called. Vote – Yeas: Koci, Mizesak, Pozar, Saunders, Zolata, Batten. Nays: None. Motion carried unanimously.

Motion made by Saunders and seconded by Saunders to place Resolution No. 2450-11 on third and final reading and passed.

Mr. Mallis explained these funds were for the project to replace the Broadway waterline extending roughly from Hawthorn Parkway to Williams Street.

The roll was called. Vote – Yeas: Koci, Mizesak, Pozar, Saunders, Zolata, Batten. Nays: None. Motion carried unanimously.

**ORDINANCE NO. 8884-11**, an ordinance declaring the property and structure located at 111 Woodrow Avenue (P.P. 813-12-057) a nuisance, ordering action and declaring an emergency was read by title only.

Motion made by Zolata and seconded by Batten to suspend the rule requiring the reading of said ordinance on three different days.

The roll was called. Vote – Yeas: Koci, Mizesak, Pozar, Saunders, Zolata, Batten. Nays: None. Motion carried unanimously.

Motion made by Saunders and seconded by Pozar to place Ordinance No. 8884-11 on third and final reading and passed.

Mr. Schuman explained there were several violations associated with this property. Vice-Mayor noted this was a bank owned property.

The roll was called. Vote – Yeas: Koci, Mizesak, Pozar, Saunders, Zolata, Batten. Nays: None. Motion carried unanimously.

**ORDINANCE NO. 8885-11**, an ordinance approving a Community Reinvestment Area (CRA) agreement between the City of Bedford and Penske Automotive Group (hereinafter referred to as “owner”) and authorizing execution of that agreement and declaring an emergency was read by title only.

Motion made by Sanders and seconded by Pozar to amend the years 2009 to 2012 and 2023 to 2026 in the last “Whereas”.

The roll was called. Vote - Yeas: Koci, Mizsak, Pozar, Saunders, Zolata, Batten. Nays: None. Motion carried unanimously.

Motion made by Saunders and seconded by Pozar to suspend the rule requiring the reading of said ordinance on three different days.

The roll was called. Vote – Yeas: Koci, Mizsak, Pozar, Saunders, Zolata, Batten. Nays: None. Motion carried unanimously.

Motion made by Mizsak and seconded by Saunders to place Ordinance No. 8885-11 on third and final reading and passed.

Mr. Mallis explained this was a tax abatement with Penske Automotive Group and they were making a substantial investment. Mr. Schuman added the schools waived their notice so the City could proceed.

The roll was called. Vote – Yeas: Koci, Mizsak, Pozar, Saunders, Zolata, Batten. Nays: None. Motion carried unanimously.

**ORDINANCE NO. 8886-11**, an ordinance authorizing the City Manager to enter into a contract with FP Allega Concrete to make various repairs to the residence at 59 Santin Circle in the City of Bedford and declaring an emergency was read by title only.

Motion made by Mizsak seconded by Saunders to suspend the rule requiring the reading of said ordinance on three different days.

The roll was called. Vote – Yeas: Koci, Mizsak, Pozar, Saunders, Zolata, Batten. Nays: None. Motion carried unanimously.

Motion made by Batten and seconded by Zolata to place Ordinance No. 8886-11 on third and final reading and passed.

Mr. Schuman noted the poor condition of this property. He added the costs for the repairs would be applied to the tax duplicate to assure that the City would be reimbursed. He stated the City had been very successful in recovering its monies for such properties.

The roll was called. Vote – Yeas: Koci, Mizsak, Pozar, Saunders, Zolata, Batten. Nays: None. Motion carried unanimously.

**ORDINANCE NO. 8887-11**, an ordinance authorizing the City Manager to apply for the FirstEnergy Non-Standard Lighting Incentives for Business Program Grant and declaring an emergency was read by title only.

Motion made by Saunders seconded by Pozar to suspend the rule requiring the reading of said ordinance on three different days.

The roll was called. Vote – Yeas: Koci, Mizsak, Pozar, Saunders, Zolata, Batten. Nays: None. Motion carried unanimously.

Motion made by Zolata and seconded by Mizsak to place Ordinance No. 8887-11 on third and final reading and passed.

Mr. Mallis explained FirstEnergy offered a grant in the approximate amount of \$250,000. He noted these funds would be used along with the NOPEC grant funds. He said the improvements would be throughout all the municipal buildings.

The roll was called. Vote – Yeas: Koci, Mizesak, Pozar, Saunders, Zolata, Batten. Nays: None. Motion carried unanimously.

**ORDINANCE NO. 8888-11**, an ordinance authorizing the City Manager to enter into a contract with Warren Fire Equipment Inc. for Fire Department bunker gear and declaring an emergency was read by title only.

Motion made by Mizesak seconded by Pozar to suspend the rule requiring the reading of said ordinance on three different days.

The roll was called. Vote – Yeas: Koci, Mizesak, Pozar, Saunders, Zolata, Batten. Nays: None. Motion carried unanimously.

Motion made by Zolata and seconded by Batten to place Ordinance No. 8888-11 on third and final reading and passed.

Mr. Mallis explained this equipment was in the Fire Departments budget; however, the Chief was able to purchase this under State bid pricing. Vice-Mayor noted it was important to keep the firemen safe.

The roll was called. Vote – Yeas: Koci, Mizesak, Pozar, Saunders, Zolata, Batten. Nays: None. Motion carried unanimously.

**ORDINANCE NO. 8889-11**, being an ordinance amending Section 1333.14 of the Codified Ordinance of the City of Bedford, Ohio adding a new Subsection 1333.14 (c) (3) and declaring an emergency was read by title only.

Motion made by Saunders and seconded by Mizesak to place Ordinance No. 8889-11 on first reading.

The roll was called. Vote – Yeas: Koci, Mizesak, Pozar, Saunders, Zolata, Batten. Nays: None. Motion carried unanimously.

Therese Chatman, 451 Broadway Avenue, Bedford, Ohio owner of Carol James Florist, said she had many concerns about the parking problem for her business. She noted she was not against the project but came to make the City aware of the parking problems that were in this area. The street parking in front of her store was shared with the Day Care Center, Mugs Bar & Grill and the Coffee Cup across the street which had ample parking but their customers take her spaces in the morning. She added she lost some additional parking spaces due to a fire hydrant and the required footage that was necessary for corner parking. She figured if Milano Monuments installed a driveway on Broadway it would eliminate two parking spaces. Ms. Chatman mentioned the delivery trucks that take more than two parking spaces along with the Day Care parents. She mentioned the accidents that have occurred in the intersection along with the complaining residents on Lamson. She noted her truck was totaled in March 2011. Mr. Pozar asked if she had parked on Glendale or the bank. She mentioned the bank will allow her a parking spot during the winter time. Mr. Pozar asked the time frame of the surrounding businesses. There was discussion regarding the Day Care parking situation with the parents and the renters. Mr. Pozar asked what she thought about diagonal parking in this area. Ms. Chatman did not think there was enough room because of the way the business drives were situated and the road was only three lanes wide. Mr. Pozar thought the

City should select a few areas as an experimental area. He stressed a "good neighbor policy" should be applied in this area.

Mr. Mallis threw out the suggestion of the City calling Mr. Milano to see if Ms. Chatman could have her own space in their parking lot or for her deliveries. He added Mr. Milano was a very nice gentleman and he didn't have a problem talking to him. Ms. Chatman explained with the Milano drive being on Broadway it would create problems for deliveries too because they couldn't block their drive for their customers even if it only took 15 minutes for the deliveries.

Mr. Schuman stated he had told her on the phone that the Planning Commission and the City had no legal justification to deny Mr. Milano's request. They were 100% in compliance. He noted the BZA did not approve their two variances so Mr. Miller and Mr. Milano changed the plans and applied to the Planning Commission for approval. Mrs. Zolata understood her dilemma. Mr. Mallis understood her concerns but the City's hands were tied. He added he would call Mr. Milano to see what can be done.

Motion made by Batten and seconded by Zolata to affirm the BZA's decision of September 7, 2011 to reject the appeal from Milano Monuments.

The roll was called. Vote – Yeas: Koci, Mizsak, Pozar, Saunders, Zolata, Batten. Nays: None. Motion carried unanimously.

Motion made by Zolata seconded by Pozar to affirm the Planning Commission's decision of September 13, 2011 to approve the new construction of Milano Monuments.

The roll was called. Vote – Yeas: Koci, Mizsak, Pozar, Saunders, Zolata, Batten. Nays: None. Motion carried unanimously.

Vice-Mayor Koci said that concluded the business portion of the meeting and asked if anyone in the audience had any comments.

Jean Sapir, Cuyahoga County Library Branch Manager, 70 Columbus Road thanked everyone for the very neat flags that were prepared and displayed at the Weekend of the Pooka event. She listed several things that were happening this fall. The Southeast Branch would be celebrating its 20<sup>th</sup> anniversary and she hoped everyone had received their invitation.

Kathy Williams, 491 Lamson Avenue pointed out that there were landscapers on her street that were blowing the grass clippings out into the street. She warned the one landscaper and he blew the clippings into the storm sewer. She suggested the City mention in the water bill flyer the dos and don'ts of plowing snow. Ms. Williams asked if the City required a Certificate of Insurance from the snow plow operators that were coming into the City to see if they had car insurance. Mr. Schuman said Mr. Mallis could take her suggestions to Mr. Angelo upon his return from vacation.

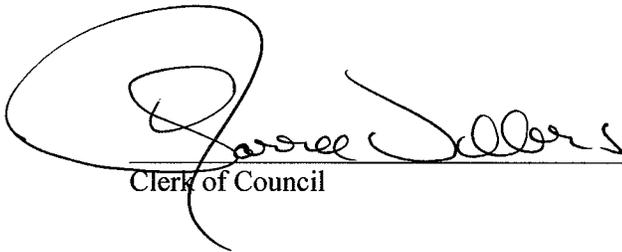
Harvey Dzomba, 125 Noran Circle stated the Planning Commission approved the addition to the Adult Day Care and he wanted to know why it wasn't on the agenda. Mr. Schuman replied it was omitted from the agenda in error and it would be on the October 3, 2011 agenda for Council's consideration.

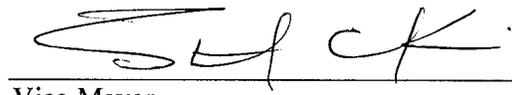
Jeff Duber, 134 Harriman Street mentioned the sidewalks on the Northfield Bridge were practically impassible. He thought the County and the City needed to work together regarding this issue. He then mentioned the grass cutting assessment ordinance that was passed last month. He thought if a neighbor helped another neighbor then maybe the City could give them a break on their water bill.

Joyce Daunch, Chairman of the Weekend of the Pooka committee, stressed "wow" what a weekend it was. She was very grateful of all the help that the committee received from the volunteers and the polite welcoming police officers. She noted this was definitely a "positive" experience. She explained the paintings in the hallway. She said this event was an education and not just games. She figured they quadrupled the head count from 2010 and stressed the real value of this would be seen in the next 3-5 years when new businesses came to town. She said, "Art inspires innovation. Innovation inspires success and success breathes success" and that was their goal.

Vice-Mayor Koci asked if there were any further comments. There being no reply, motion made by Saunders and seconded by Mizesak to adjourn. The roll was called. Vote – Yeas: Koci, Mizesak, Pozar, Saunders, Zolata, Batten. Nays: None. Motion carried unanimously.

Meeting adjourned at 9:04 P.M.

  
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Clerk of Council

  
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Vice-Mayor